

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Donta Malik Dowe,)	C/A No.: 1:22-3-DCN-SVH
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Director Patricia Wray; Captain)	
Willie Sweat; Major Lumpkin;)	
Correctional Officer Smith; and)	
Nurse Steele,)	
)	
Defendants.)	
)	

Donta Malik Dowe (“Plaintiff”), proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b) and Local Civ. Rule 73.02(B)(2)(d) (D.S.C.). This matter comes before the court on the following motions filed by Plaintiff: (1) Motion for Discovery [ECF No. 23]; (2) Motion to Appoint a Special Master [ECF No. 24]; (3) Motion for Subpoena [ECF No. 25]; and Motion to Join all Motions [ECF No. 26].

For the reasons that follow, the court denies Plaintiff’s motions.

I. Motion for Discovery [ECF No. 23]

Plaintiff’s motion for discovery requests information and documents from defendants. Pursuant to Rules 33 and 34 of the Federal Rules of Civil

Procedure, interrogatories and requests for production should be served on counsel for Defendants and need not be filed with the court. For efficiency, the court construes this request as having been served on Defendants on the date of this order. Defendants are directed to respond within the time limits prescribed by the Federal Rules of Civil Procedure.

II. Motion to Appoint a Master [ECF No. 24]

Plaintiff has filed a motion for the court to appoint a master to inspect the Sumter County Detention Center, to photograph the conditions, and to issue a report. Federal Rule of Civil Procedure 53 states, in pertinent part:

- (1) Scope. Unless a statute provides otherwise, a court may appoint a master only to:
 - (A) perform duties consented to by the parties;
 - (B) hold trial proceedings and make or recommend findings of fact on issues to be decided without a jury if appointment is warranted by:
 - (i) some exceptional condition; or
 - (ii) the need to perform an accounting or resolve a difficult computation of damages; or
 - (C) address pretrial and posttrial matters that cannot be effectively and timely addressed by an available district judge or magistrate judge of the district.

Fed. R. Civ. P. 53(a)(1). Plaintiff has not shown that any conditions apply.

Therefore, the motion to appoint a master is denied.

III. Motion for Subpoena [ECF No. 25] and to Join Motions [ECF No. 26]

Plaintiff's motion for a subpoena essentially requests the same relief as his motion to appoint a master. Similarly, his motion to join motions seeks

the same relief as the prior motion. Therefore, the motion for subpoena is denied and the motion to join motions is rendered moot.

IT IS SO ORDERED.

March 17, 2022
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge